

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY BONN PRIORITY

INFO AMEMBASSY LONDON

AMEMBASSY NAIROBI

C O N F I D E N T I A L STATE 112465

E.O. 11652:GDS

TAGS: PFOR, UK, GW, UG

SUBJECT:UGANDAN TRIAL OF DENIS HILLS

REF: LONDON 06399 NOTAL

1. UK EMB WASH HAS INFORMED DEPT. OF PENDING MILITARY TRIAL OF UK CITIZEN DENIS HILLS ON POSSIBLE CHARGES OF ESPIONAGE AND TREASON. HMG HAS REQUESTED AND DEPT. HAS AGREED THAT IN EVENT HILLS CONVICTED AND SENTENCED TO DEATH, AS AMIN HAS THREATENED, THAT US JOIN EFFORT IN COORDINATION WITH OTHER INTERESTED GOVERNMENTS TO REGISTER STRONGLY WITH GOU INTERNATIONAL CONCERN FOR HILLS' WELFARE. BRITISH HAVE INFORMED US OF FRG WILLINGNESS TO PARTICIPATE IN SUCH DEMARCHE.

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2. FRG EMBASSY KAMPALA IS UNDOUBTEDLY FAMILIAR WITH HILLS

CASE AND WIDELY PUBLICIZED MANUSCRIPT "THE WHITE PUMPKIN". DISMISS CASE AGAINST HILLS WHEN PROSECUTION RECEIVED INSTRUCTIONS TO WITHDRAW FROM THE CIVIL TRIAL AND PLACE HILLS BEFORE MILITARY TRIBUNAL ON CHARGES NOT YET FORMULATED. TREASON AND SEDITION HAVE BEEN MENTIONED IN PRESS AS LIKELY CHARGES. BOTH ARE PUNISHABLE BY DEATH. INSTEAD OF BEING RELEASED, HILLS WAS RETURNED TO PRISON.

3. HMG HAS DETERMINED THAT HILLS IS PRESENTLY BEING HELD LEGALLY UNDER UGANDAN PENAL CODE, THUS BRITISH ARE UNABLE TO PROTEST HIS CONTINUED DETENTION.

4. BRITISH ARE CONCERNED THAT IN EVENT OF CONVICTION, IT MAY BE NECESSARY TO MOVE VERY QUICKLY, SINCE EXECUTION COULD IMMEDIATELY FOLLOW SENTENCING BY THE TRIBUNAL.

5. DEPT. REQUESTS THAT FRG CONVEY FOLLOWING INSTRUCTIONS TO FRG EMBASSY KAMPALA: IN EVENT HILLS CONVICTED AND SENTENCED TO DEATH, REQUEST FRG EMBASSY KAMPALA (PRESUMEDLY AT AMBASSADORIAL LEVEL) ON BEHALF USG AND IN CONCERT WITH OTHER EMBASSIES INVOLVED (BRITISH HAVE INFORMED DEPT. THAT OTHER GOVERNMENTS WITH REPRESENTATIVES IN KAMPALA ARE BEING ASKED TO TAKE SIMILAR ACTION) TO INFORM GOU AT HIGHEST APPROPRIATE LEVEL THAT USG WOULD DEPLORE ON HUMANITARIAN GROUNDS EXECUTION OF HILLS FOR AN ACTION HARDLY REGARDED AS A CRIME IN MOST COUNTRIES. MOREOVER, CARRYING OUT OF DEATH PENALTY IN SUCH INSTANCE WOULD FALL BELOW THE MINIMUM INTERNATIONAL STANDARDS OF BEHAVIOR STATED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, AND WOULD CONSTITUTE A VIOLATION OF UGANDA'S RESPONSIBILITIES UNDER INTERNATIONAL LAW TO PROVIDE ALIENS WITH PROCEDURAL AND SUBSTANTIVE JUSTICE.

6. DEPT. ASSUMES FRG AMBASSADOR ELLERKMAN WILL STAY IN CLOSE CONTACT WITH ACTING UK HIGH COMMISSIONER HENNESSY TO COORDINATE FURTHER ACTION ON THIS MATTER. KISSINGER

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